

ICOH.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Cohen  
App. No. : 10/045,954  
Filed : November 6, 2001  
For : METHOD AND SYSTEM FOR  
REGISTRATION AND  
TRACKING OF ITEMS  
Examiner : Unknown

Group Art Unit: 2164

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 17, 2003

(Date)

*Gordon H. Olson*

Gordon H. Olson, Reg. No. 20,319

PETITION FOR WITHDRAWAL AS ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Director Group 2164

**APPROVED**

**RECEIVED**  
JUL 24 2003  
**GROUP 3600**

9-30-03

MLW

Dear Sir:

Pursuant to 37 C.F.R. § 1.36, the Petitioner requests permission to withdraw as attorney for applicant, James Cohen, in all matters pending before the Patent and Trademark Office. The Petitioner is authorized by, and makes this request on behalf of the law firm of Knobbe, Martens, Olson & Bear, LLP (Customer No. 20,995), including all of its individual members.

The last known mailing address of Inventor is:

5901 Warner Avenue

Huntington Beach, CA 92649

**Appl. No** : 10/045,954  
**Filed** : November 6, 2001

The basis for the request for withdrawal is 37 C.F.R. § 10.40(c)(1)(vi). The following facts are submitted for consideration:

1. That Applicant has failed to pay one or more bills, the outstanding account balance has been more than \$12,000 for more than a year, and currently stands at \$14,627.47.
2. That the Applicant has failed to pay the current balance.
3. That Applicant was given notice that the Petitioner would withdraw and has failed to execute a Revocation of Power of Attorney as requested on June 17, 2003.

The application was filed on November 6, 2001, and its current status is pending. There is no outstanding term for response.

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), cannot be calculated since this case is awaiting action by the PTO.

The Petitioner has taken reasonable steps to avoid foreseeable prejudice to the rights of the client. Such that the Applicant's rights are preserved, and in accordance with 37 C.F.R. § 10.40(a), the Petitioner has delivered into the possession of the Applicant the following information:

- (1) due notice that the attorney is withdrawing;
- (2) a copy of this petition, including attachments;
- (3) the address of the Patent and Trademark Office where the applicant needs to write;
- (4) an offer to deliver to the client all papers and property to which the client is entitled.

A copy of the letter to the client is attached.

Permission to withdraw is also requested in the following related application of the inventor: PCT case US02/28908

In accordance with 1058 O.G. 32, this petition is enclosed in triplicate to expedite its handling.

Appl. No : 10/045,954  
Filed : November 6, 2001

The Petitioner, on behalf of the law firm of Knobbe, Martens, Olson & Bear, LLP (Customer No. 20,995), including all of its individual members, respectfully requests permission to withdraw as attorney in the above-referenced cases now pending before the U.S. Patent & Trademark Office.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 7/17/03

By: Gordon H. Olson  
Authorized and Signing on behalf  
of all attorneys of record

Gordon H. Olson  
Registration No. 20,319  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

Attorneys of Record and Registration Numbers:

Louis J. Knobbe	18,780	William H. Shreve	35,678
Don W. Martens	21,107	Steven J. Nataupsky	37,688
Gordon H. Olson	20,319	Joseph F. Jennings	40,664
James B. Bear	25,221	Craig S. Summers	31,430
Darrell L. Olson	28,247	AnneMarie Kaiser	37,649
William B. Bunker	29,365	Brenton R. Babcock	39,592
William H. Nieman	30,201	Thomas F. Smegal, Jr.	20,732
Arthur S. Rose	28,038	Michael H. Trenholm	37,743
James F. Lesniak	25,240	Ronald J. Schoenbaum	38,297
Ned A. Israelsen	29,655	John R. King	34,362
Drew S. Hamilton	29,801	Frederick S. Berretta	38,004
Jerry T. Sewell	31,567	Nancy Ways Vensko	36,298
John B. Sganga, Jr.	31,302	John P. Giezentanner	39,993
Edward A. Schlatter	32,297	Adeel S. Akhtar	41,394
Gerard von Hoffmann	33,043	Thomas R. Arno	40,490
Joseph R. Re	31,291	David N. Weiss	41,371
John M. Carson	34,303	Daniel Hart, Ph.D.	40,637
Andrew H. Simpson	31,469	Douglas G. Muehlhauser	42,018
Daniel E. Altman	34,115	Lori Lee Yamato	40,881
Stephen C. Jensen	35,556	Dale C. Hunt, Ph.D.	41,857
Vito A. Canuso	35,471	Richard E. Campbell	34,790

Appl. No : 10/045,954  
Filed : November 6, 2001

Lee W. Henderson, Ph.D.	41,830	Christy L. Green	51,754
Mark M. Abumeri	43,458	Curtiss C. Dosier	46,670
Jon W. Gurka	44,139	Richard A. DeCristofaro	51,601
Joseph M. Reisman, Ph.D.	43,878	Joseph J. Mallon, Ph.D.	39,287
Michael L. Fuller	36,516	Paul C. Steinhardt	30,806
Eric M. Nelson	43,829	Jeffrey A. Birchak	46,200
Mark R. Benedict, Ph.D.	44,531	Jeremy P. Sanders	47,916
Paul N. Conover	44,087	Perry D. Oldham	52,082
Robert J. Roby	44,304	Andrew N. Merickel	53,317
Sabing H. Lee	43,745	Erik T. Anderson	52,559
Karoline A. Delaney	44,058	Gregory A. Hermanson	53,018
James J. Mullen III, Ph.D.	44,957	Jerry L. Hefner, Ph.D.	53,009
Glen L. Nuttall	46,188	Scott Loras Murray	53,360
Eric S. Furman, Ph.D.	45,664	Ryan N. Farr	52,882
Sanjivpal S. Gill	42,578	Curtis R. Huffmire	48,877
James W. Hill, M.D.	46,396	Katsuhiko Arai	43,315
Rose M. Thiessen, Ph.D.	40,202	Raimond J. Salenieks	37,924
Michael A. Guiliana	42,611	Jennifer A. Haynes, Ph.D.	48,868
Mark J. Kertz	43,711	Che S. Chereskin, Ph.D.	41,466
Rabinder N. Narula	53,371	James Ausley	49,076
Bruce S. Itchkawitz	47,677	Jennifer Hayes	50,845
Peter M. Midgley	44,239	Kirk E. Pastorian, Ph.D.	48,756
Michael S. Okamoto	47,831	Connie C. Tong	52,292
John M. Grover	42,610	Suzanne G. Jepson, Ph.D.	51,848
Mallary K. de Merlier	51,609	Nira M. Brand	52,648
Irfan A. Lateef	51,922	Jeffrey A. Hopkins	53,034
Sharon S. Ng	53,383	Tiffany C. Miller	52,032
Mark J. Gallagher, Ph.D.	43,622	James W. Chang, Ph.D.	52,718
David G. Jankowski, Ph.D.	43,691	Marina L. Gordey, Ph.D.	52,950
Sheila N. Swaroop	53,658	Lang J. McHardy	50,591
Marc T. Morley	52,051	Eric B. Ives	50,928
Linda H. Liu	51,240	David C. Weber	51,149
David L. Hauser	42,643		

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# Knobbe Martens Olson & Bear LLP

Intellectual Property Law



2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614  
Tel 949-760-0404  
Fax 949-760-9502  
www.kmob.com

Gordon H. Olson  
golson@kmob.com

July 17, 2003

James Cohen  
5901 Warner Avenue  
Huntington Beach, CA 92649

Re: U.S. Patent Application  
Title: METHOD AND SYSTEM FOR REGISTRATION AND TRACKING OF  
ITEMS  
U.S. Application No.: 10/045,954  
Filed: November 6, 2001  
Our Reference: JCOH.001A

Dear Jim:

We have received no reply to our letter of June 17, 2003 in which we informed you of our decision to withdraw from representing you and requested that you sign and return a "Revocation of Power of Attorney."

Since no reply to our letter was received, we have petitioned the Patent Office to withdraw as your attorneys. A copy of the "Petition for Withdrawal as Attorney" is enclosed.

Please take notice of the following facts. Your U.S. application was filed on November 6, 2001 and its current status is pending. There is no outstanding term for response.

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), cannot be determined since this case is awaiting action by the PTO. Future correspondence regarding your U.S. patent matter should be addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Any such correspondence should clearly identify the serial number and filing date of your application, and should be directed to Group Art Unit 2164.

San Diego  
619-235-8550

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
909-781-9231

San Luis Obispo  
805-547-5580

James Cohen  
July 17, 2003  
Page -2-

Since the U.S. application was filed after June 7, 1995, the life of any patent issued on it will expire at a date that begins to run from the filing date, rather than the issue date, as in the past. However, the patent will not become effective until it is issued, and thus, if the application is not prosecuted promptly to issuance, the effective life of the patent will be shortened.

Your PCT application, PCT/US02/28908, was filed on September 9, 2002 and will require action by March 7, 2004, as explained in the attached letter.

We regret that this matter has to be resolved in this manner. Please call if you have any questions.

Sincerely,

  
Gordon H. Olson

Enclosures

cc: Accounts Receivable

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# Knobbe Martens Olson & Bear LLP

Intellectual Property Law



2040 Main Street  
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Gordon H. Olson  
golson@kmob.com

July 17, 2003

Mr. James Cohen  
5901 Warner Avenue  
Huntington Beach, CA 92649

Re: **30-MONTH NATIONAL PHASE LETTER**  
Title: METHOD AND SYSTEM FOR REGISTRATION  
AND TRACKING OF ITEMS  
Applicant: James Cohen  
PCT Application No.: PCT/US02/28908  
Our Reference: JCOH.001VPC

Dear Jim:

It will soon be time to decide whether or not to complete the National Phase of the above-mentioned PCT application by filing the application in those countries you want. **Failure to take the necessary steps by the deadline specified in this letter will result in irreversible loss of patent rights in the relevant countries.**

## Cost Estimates

In this case, you have selected the following PCT countries. Thus you may choose to complete the national phase in United Arab Emirates, Antigua, Albania, Armenia, Austria, Australia, Azerbaijan, Bosnia and Herzegovina, Barbados, Bulgaria, Belarus, Belize, Canada, China, Colombia, Costa Rica, Cuba, Czech Republic, Germany, Dominica, Algeria, Ecuador, Estonia, Spain, United Kingdom, Grenada, Georgia, Ghana, Gambia, Croatia, Hungary, Indonesia, Israel, India, Iceland, Japan, Kenya, Kyrgyzstan, Democratic People's Republic of Korea, Republic of Korea, Kazakhstan, Saint Lucia, Sri Lanka, Liberia, Lesotho, Lithuania, Latvia, Morocco, Republic of Moldova, Madagascar, the former Yugoslav Republic of Macedonia, Mongolia, Malawi, Mexico, Mozambique, New Zealand, Oman, Philippines, Poland, Portugal, Romania, Russian Federation, Sudan, Slovenia, Slovakia, Sierra Leone, Tajikistan, Turkmenistan, Tunisia, Turkey, Trinidad and Tobago, Ukraine, Uzbekistan, Saint Vincent and the Grenadines, Vietnam, Zimbabwe, Europe (including Austria, Belgium, Bulgaria, Switzerland/Liechtenstein, Cyprus, Czech Republic, Germany, Denmark, Estonia, Spain, Finland, France, United Kingdom, Greece, Ireland, Italy, Luxembourg, Monaco, Netherlands, Portugal, Sweden, Slovakia and Turkey), ARIPO (including Ghana, Gambia, Kenya, Lesotho, Malawi, Mozambique, Sudan, Sierra Leone, Swaziland, United Republic of Tanzania, Uganda,

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Mr. James Cohen  
Our Ref.: JCOH.001VPC  
July 17, 2003  
Page -2-

Zambia, and Zimbabwe), OAPI (including Burkina Faso, Benin, Central African Republic, Congo, Côte d'Ivoire, Cameroon, Gabon, Guinea, Equatorial Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal, Chad, Togo), and Eurasian Patent (including Armenia, Azerbaijan, Belarus, Kyrgyzstan, Kazakhstan, Republic of Moldova, Russian Federation, Tajikistan, and Turkmenistan). The most commonly filed of these countries are Australia, Canada, Japan, Mexico, Russian Federation, and Europe. Thus, the following is an estimate of the approximate cost for proceeding with the national-phase filing of your PCT application in these commonly filed countries:

Australia	\$2,400
Canada (includes first annuity)	\$2,200
Europe (includes examination fee and first annuity)	\$9,600
Japan	\$8,500
Mexico	\$5,500
Russian Federation	\$6,000

These estimates include both our fees and our foreign associates' fees, together with the local official fees and the cost of translation, where necessary to establish a filing. You will appreciate that these estimates are rather approximate. They are based on previous experience and do not take into account fluctuations in official fees, currency exchange, or unpredictable costs. These estimates do not include expenses that will be incurred after completing the national-phase filing, such as prosecution, grant, and maintenance fees.

We have found that our estimates for countries other than Europe, Canada, Australia, and Japan, often differ substantially from the actual cost incurred. This is due to instability in the rate of inflation and currency exchange rates in many such countries. If you would like more accurate estimates for any countries, we would be glad to inquire with our foreign associates regarding your specific case.

#### European Application

If you decide to continue with this application in Europe, a request for examination of the European application will also be due by March 7, 2004 and will cost approximately \$2,500. This cost is included in the estimate given above. There will also be substantial expenses incurred when the European patent is granted. At that time, it will be necessary to pay substantial fees to the European Patent Office and to pay for the completion of formalities and, in many cases, translations for the countries designated in the European application and where it is desired to maintain the European patent.

You may decide to withdraw some of the countries designated in the European patent application now. Withdrawal of countries from the European application would save about \$160



**Knobbe Martens Olson & Bear LLP**

Mr. James Cohen

Our Ref.: JCOH.001VPC

July 17, 2003

Page -3-

per country, but please note that withdrawn countries cannot be reinstated later. You will have another opportunity to withdraw these European countries when the European patent is granted.

It is also possible to extend the European application to Albania, Lithuania, Latvia, the former Yugoslav Republic of Macedonia, Romania, and Slovenia. The cost for each country is approximately \$250.

**Deadline for National Phase**

The National Phase must be completed by **March 7, 2004**. Sufficient time must be allowed for mailing and completing of the formalities.

Sincerely,



Gordon H. Olson

cc: International Docketing

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# Knobbe Martens Olson & Bear LLP

Intellectual Property Law



2040 Main Street  
Fourteenth Floor  
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Gordon H. Olson  
golson@kmob.com

June 17, 2003

James Cohen  
5901 Warner Avenue  
Huntington Beach, CA 92649

Re: U.S. Patent Application  
Title: METHOD AND SYSTEM FOR REGISTRATION AND TRACKING OF  
ITEMS  
U.S. Application No.: 10/045,954  
Filed: November 6, 2001  
Our Reference: JCOH.001A

**RECEIVED**  
JUL 14 2003  
**GROUP 3600**

Dear Jim:

We had hoped by now to have reached a mutually acceptable resolution with respect to payments on your account. Your account balance now stands at \$14,522, most of which was incurred in connection with filing your U.S. patent application.

In view of the foregoing, we have decided to withdraw from representing you and incurring additional fees and costs in connection with your pending patent applications.

Please sign and return the enclosed "Revocation of Power of Attorney" form and we will forward all files to you. If we do not receive the executed form by June 30, 2003, we will petition the Patent Office to withdraw as your attorneys and direct the PCT authorities to communicate directly with you. We regret that this matter has to be resolved in this manner. Please call if you have any questions.

Sincerely,

Gordon H. Olson

Enclosure

cc: Accounts Receivable

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San Diego  
619-235-8550

San Francisco  
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Cohen )  
App. No. : 10/045,954 )  
Filed : November 6, 2001 )  
For : METHOD AND SYSTEM FOR )  
REGISTRATION AND TRACKING )  
OF ITEMS )  
Examiner : Unknown )

REVOCATION OF POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
JUL 24 2003  
GROUP 3600

Dear Sir:

The undersigned hereby revokes any previous powers of attorney in the subject application, namely that of Knobbe, Martens, Olson & Bear, LLP, including all of the individual members of the firm, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, and requests that all future communications with respect thereto from the Patent and Trademark Office be forwarded to James Cohen, located at 5901 Warner Avenue, Huntington Beach, CA 92649.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
James Cohen